

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TACUMA J. M'WANZA,

Case No. 3:16-cv-00590-MMD-WGC

Plaintiff,

ORDER

v.

Q. BYRNA et al.,

Defendants.

This action is a *pro se* civil rights complaint filed under 42 U.S.C. § 1983 by a former state prisoner, who appears to be incarcerated again. (ECF Nos. 1-1, 11, 12.) On June 9, 2020, the Ninth Circuit vacated the Court's order denying Plaintiff's motion for reconsideration seeking to reopen his case. (ECF No. 18.) The Ninth Circuit's mandate now having issued (ECF No. 19), the Court vacates the portion of its prior order denying Plaintiff's motion for reconsideration (ECF No. 13 at 1-2). Per the Ninth Circuit's order (ECF No. 18 at 2), the Court will evaluate Plaintiff's motion for reconsideration (ECF No. 12) using the four-factor test for excusable neglect outlined in *Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993) in a separate, forthcoming order.

DATED THIS 2<sup>nd</sup> day of July 2020.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE